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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,698	02/27/2004	Craig David Carroll		9297

7590 12/12/2005

Craig David Carroll  
28 Sable Sands  
Newport Coast, CA 92657

EXAMINER

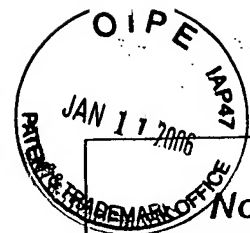
WALCZAK, DAVID J

ART UNIT PAPER NUMBER

3751

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

10/789698

Applicant(s)

Examiner

WALCZAK

Art Unit

3751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 12-5-05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_
- ☒ 4. Amendments to the claims:
  - ☒ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: Claim 5 23-36 are not present or cancelled.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

**Failure to timely respond** to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Olona Wale

Legal Instruments Examiner (LIE)

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Telephone No.



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January 6, 2006

Dear Mr. Walczak,

We have reviewed the restrictions to Application number 10/789,698 and have made the following changes:

Claim 1 has been amended to form one species.  
Claim 5 has been withdrawn.  
Claim 9 has been withdrawn.  
Claims 10, 11, 12, and 13 have been amended.  
Claims 16, 17 and 18 have been withdrawn.  
Claims 19, 20, 21, and 22 have been amended.  
Claims 23 and 24 have been withdrawn.  
Claims 25, 26, and 27 have been amended.  
Claims 28, 29, 30, 31, 32, 33 and 34 have been canceled.  
Claims 35 and 36 have been amended.

Claim 1 is elected as the species.

Sincerely,

Craig Carroll